

1626  
\$Please type a plus sign (+) inside this box → ☐

MAY 27 2003

TRANSMITTAL  
FORM

Do not be used for all correspondence after initial filing)

Application Number	09/868,961
Filing Date	June 22, 2001
First Named Inventor	Hassan JOMAA
Group Art Unit	1626
Examiner Name	D. Lambkin
Attorney Docket Number	40770-000142/US

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form  <input checked="" type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Letter to the Official Draftsperson and ( ) Sheets of Formal Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> LETTER SUBMITTING APPEAL BRIEF AND APPEAL BRIEF (w/clean version of pending claims) <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):
<div style="text-align: center;"> <p>RECEIVED</p> <p>MAY 29 2003</p> <p>TECH CENTER 1600/2900</p> </div>		
Remarks <input type="text"/>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Reg. No.
		Amy L. Miller	43,804
Signature			
Date	May 27, 2003		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

## Complete (if Known)

Application Number	09/668,961
Filing Date	June 22, 2001
Inventor(s)	Hassan JOMAA
Examiner Name	D. Lambkin
Group / Art Unit	1626
Attorney Docket No.	40770-000142/US

TOTAL AMOUNT OF PAYMENT (\$) 205.00

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: 08-0750

Deposit Account Name: Harness, Dickey & Pierce, P.L.C.

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION (continued)

Fee Code	Large Entity	Small Entity	Fee Description	Fee Paid
105	130	205	Surcharge - late filing fee or oath	
127	50	227	Surcharge - late provisional filing fee or cover sheet	
139	130	139	Non-English specification	
147	2,520	147	For filing a request for reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	410	216	205 Extension for reply within second month	205
117	930	217	465 Extension for reply within third month	
118	1,450	218	725 Extension for reply within fourth month	
128	1,970	228	965 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,300	241	650 Petition to revive - unintentional	
142	1300	242	650 Utility issue fee (or reissue)	
143	470	243	235 Design issue fee	
144	630	244	315 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR 1.17 (q)	
126	180	126	180 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
146	750	246	375 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	750	249	375 For each additional invention to be examined (37 CFR § 1.129(b))	
179	750	279	375 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$205.00)

## FEE CALCULATION

Large Entity	Small Entity	Fee Description	Fee Paid		
101	750	201	375	Utility filing fee	
106	330	206	165	Design filing fee	
107	520	207	260	Plant filing fee	
108	750	208	375	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$0)

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	0	0	0
Multiple Dependent	0	0	0

Large Entity	Small Entity	Fee Description	Fee Paid		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$0)

\*\*or number previously paid, if greater. For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Amey L. Miller	Registration No. Attorney/Agent	43,804
Signature	<i>Amey L. Miller</i>	Telephone	703-668-8000
		Date	May 27, 2003

WARNING: Information on this form may become public. Credit card information should not be

included on this form. Provide credit card information and authorization on PTO-2035.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/868,961  
Filing Date: June 22, 2001  
Applicant: Hassan Jomaa  
Group Art Unit: 1626  
Examiner: D. Lambkin  
Title: USE OF BISPHTHOSPHONATES FOR THE PREVENTION  
AND TREATMENT OF INFECTIOUS PROCESSES  
Attorney Docket: 40770-000142/US

---

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

May 27, 2003

**AMENDMENT AND PETITION FOR EXTENSION OF TIME**

Sir:

This Amendment is submitted in answer to the Office Action dated December 24, 2002, which set a three month period for response. Applicant hereby petitions under the provisions of 37 C.F.R. §1.136(a) for a two month extension of time for which to respond to the outstanding Office Action, thereby extending the date for response from March 24, 2003 to May 27, 2003 (May 24, 2003 being a Saturday, May 25, 2003 being a Sunday, and May 26, 2003 being a holiday within the District of Columbia). The fee as set forth in 37 C.F.R. §1.17(a) for such an extension of time is attached to this Amendment.

Amendments to the claims begin on page 2.

Remarks begin on page 10.